

SENATE BILL No. 341

DIGEST OF INTRODUCED BILL

Citations Affected: IC 32-34-11.

Synopsis: Lost personal property submitted to police. Establishes a method for an individual who comes into possession of tangible personal property, except firearms, or cash that the individual: (1) does not own; and (2) submits to a law enforcement agency; to become the rightful owner of the tangible personal property or cash. Prohibits a law enforcement agency from turning over possession of tangible personal property or cash submitted to the law enforcement agency to any person if the tangible personal property or cash is: (1) needed as evidence in an ongoing criminal investigation; (2) dangerous; or (3) unusable.

Effective: July 1, 2015.

Rogers

January 8, 2015, read first time and referred to Committee on Homeland Security & Transportation.



First Regular Session 119th General Assembly (2015)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

SENATE BILL No. 341

A BILL FOR AN ACT to amend the Indiana Code concerning property.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 32-34-11 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2015]:
4 **Chapter 11. Lost Property Submitted to a Law Enforcement**
5 **Agency**
6 **Sec. 1. As used in this chapter, "cash" means paper currency or**
7 **coins.**
8 **Sec. 2. As used in this chapter, "law enforcement agency" means**
9 **a state or local law enforcement agency.**
10 **Sec. 3. (a) As used in this chapter, "tangible personal property"**
11 **means personal property that:**
12 **(1) can be seen, weighed, measured, felt, or touched; or**
13 **(2) is in any other manner perceptible to the senses.**
14 **(b) The term does not include firearms.**
15 **Sec. 4. If an individual comes into possession of tangible**
16 **personal property or cash that the individual does not own and the**



individual submits the tangible personal property or cash to an officer or employee of a law enforcement agency, the officer or employee shall do the following:

(1) Take possession of the tangible personal property or cash.

(2) Take:

(A) the name of; and

(B) contact information for;

the individual.

(3) Provide the individual with a receipt for the tangible personal property or cash that includes the following:

(A) The name of the individual.

(B) A description of the tangible personal property or cash.

(C) Contact information for the law enforcement agency.

(4) Inform the individual that if the rightful owner of the tangible personal property or cash does not claim the tangible personal property or cash not more than ninety (90) days after the date the individual submitted the tangible personal property or cash to the law enforcement agency, the individual may:

(A) come to a location designated by the law enforcement agency; and

(B) take possession of the tangible personal property or cash as the rightful owner;

not more than thirty (30) days after the ninety (90) day period expires.

Sec. 5. (a) Except as provided in subsection (b), after a law enforcement agency has received tangible personal property or cash as described in section 4 of this chapter, the law enforcement agency shall do the following:

(1) Hold the tangible personal property or cash separate from other tangible personal property or cash for the ninety (90) day period described in section 4(4) of this chapter.

(2) If a person:

(A) contacts the law enforcement agency during the ninety (90) day period; and

(B) proves to the satisfaction of the law enforcement agency that the person is the rightful owner of the tangible personal property or cash;

turn over possession of the tangible personal property or cash to the person.

(3) If a person does not prove that the person is the rightful owner during the ninety (90) day period, notify the individual



1 who submitted the tangible personal property or cash to the
2 law enforcement agency that the individual may claim the
3 tangible personal property or cash as the rightful owner of the
4 tangible personal property or cash if the individual:

5 (A) appears at a location designated by the law
6 enforcement agency not more than thirty (30) days after
7 the date the law enforcement agency notifies the
8 individual;

9 (B) possesses the receipt described in section 4(3) of this
10 chapter; and

11 (C) proves to the satisfaction of the law enforcement
12 agency that the individual is the individual who submitted
13 the tangible personal property or cash to the officer or
14 employee of the law enforcement agency.

15 (b) A law enforcement agency may not turn over possession of
16 tangible personal property or cash submitted to the law
17 enforcement agency under this chapter to the rightful owner of the
18 tangible personal property or cash or to the individual who
19 submitted the tangible personal property or cash to the law
20 enforcement agency if the tangible personal property or cash is:

- 21 (1) needed as evidence in an ongoing criminal investigation;
22 (2) dangerous; or
23 (3) unusable.

